

Article - Public Utilities

[\[Previous\]](#)[\[Next\]](#)

§8–409.

(a) A telephone company or reseller may not fail or neglect to comply with this subtitle or with a regulation adopted under this subtitle.

(b) For the purpose of enforcing the provisions of this subtitle, the Commission may:

(1) exercise any of the powers conferred under this division against a telephone company or reseller; and

(2) in the case of a complaint filed against a telephone company or reseller, order the telephone company or reseller to make reparations to the complaining party in accordance with § 8–405 of this subtitle.

(c) In addition to any other available penalty, the Commission may assess directly, after an opportunity for hearing, an administrative penalty on a telephone company or reseller that violates the provisions of this subtitle, or a regulation adopted under this subtitle, or federal law or regulation on unauthorized changes to a customer's telephone company, reseller, or telecommunications service options, or to the person who bills the customer or the customer's billing arrangement.

(d) The administrative penalty assessed under this section may not exceed \$1,000 for each violation associated with a specific access line in the State.

(e) In assessing an administrative penalty under this section, the Commission shall consider:

(1) the nature, circumstances, extent, gravity, and number of violations;

(2) the degree of culpability of the violator;

(3) prior offenses and repeated violations of the violator; and

(4) any other matter that the Commission considers appropriate and relevant.

(f) An administrative penalty collected under this section shall be paid into the General Fund of the State.

[\[Previous\]](#)[\[Next\]](#)